

EXHIBIT "A"

STATE OF TEXAS - COUNTY OF SMITH

I, Penny Clarkston, District Clerk of Smith County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. 12, Page 2022, Minutes of said Court on file in my office.

Witness my official hand and seal of office on this date:

October 12, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Debra Clarkston Deputy

114TH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE No. 22-2044-B**

NICHOLAS WOOTEN VS. SANDERSON FARMS,
INC., SANDERSON FARMS, INC. (PROCESSING
DIVISION), AND SANDERSON FARMS, INC.
(PRODUCTION DIVISION)

§
§
§
§

Location: **114th Judicial District Court**
Judicial Officer: **Jackson, Austin Reeve**
Filed on: **09/19/2022**

CASE INFORMATIONCase Type: **Injury/Damage - Other**

Case
Status: **09/19/2022 Filed**

DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number 22-2044-B
Court 114th Judicial District Court
Date Assigned 09/19/2022
Judicial Officer Jackson, Austin Reeve

PARTY INFORMATION**Plaintiff****Wooten, Nicholas***Lead Attorneys***GOUDARZI, BRENT***Retained*

903-843-2026(F)

903-843-2544(W)

301 N. Titus Street

GILMER, TX 75644

goudarziyoung@goudarzi-
young.com**Defendant****Sanderson Farms, Inc.****JOHNSON, J. EDWARD***Retained*

214-379-6900(W)

750 N. St. Paul Street, Suite

700

DALLAS, TX 75201

ejohnson@mayerllp.com

Sanderson Farms, Inc. (Processing Division)**JOHNSON, J. EDWARD***Retained*

214-379-6900(W)

750 N. St. Paul Street, Suite

700

DALLAS, TX 75201

ejohnson@mayerllp.com

Sanderson Farms, Inc., (Production Division)**JOHNSON, J. EDWARD***Retained*

214-379-6900(W)

750 N. St. Paul Street, Suite

700

DALLAS, TX 75201

ejohnson@mayerllp.com










DATE**EVENTS & ORDERS OF THE COURT**

|



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AND CORRECT COPY
FILED IN THE SMITH COUNTY
DISTRICT CLERK'S OFFICE**

CASE SUMMARY**CASE No. 22-2044-B****EVENTS**

09/19/2022	 Original Petition (OCA)
09/19/2022	 Request for Citation
09/21/2022	 Citation Party: Defendant Sanderson Farms, Inc.
09/21/2022	 Citation Party: Defendant Sanderson Farms, Inc. (Processing Division)
09/21/2022	 Citation Party: Defendant Sanderson Farms, Inc., (Production Division)
09/21/2022	 Correspondence
09/21/2022	 Receipt
09/28/2022	 Green Card Returned Served Party: Defendant Sanderson Farms, Inc. (Processing Division)
10/14/2022	 Original Answer Party: Defendant Sanderson Farms, Inc.; Defendant Sanderson Farms, Inc. (Processing Division)

DATE**FINANCIAL INFORMATION****Defendant** Sanderson Farms, Inc.

Total Charges

10.00

Total Payments and Credits

10.00

Balance Due as of 10/17/2022**0.00****Plaintiff** Wooten, Nicholas

Total Charges

638.00

Total Payments and Credits

638.00

Balance Due as of 10/17/2022**0.00**

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DISTRICT CLERK'S OFFICE

STATE OF TEXAS - COUNTY OF SMITH

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Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Shelda Palmer Deputy

Electronically Filed
9/19/2022 2:06 PM
Penny Clarkston, Smith County District Clerk
Reviewed By: Penny Clarkston



J. BRENT GOUDARZI
MARTY L. YOUNG
KRISTINA PIERCE JOSEPH
THOMAS W. REARDON, JR.
KEVIN J. SIMONS
JESSICA ALLEN
R. CLAY KIMBROUGH

3522 FOURTH STREET
LONGVIEW, TEXAS 75605
PH 903-843-2544
FAX 903-843-2026

September 19, 2022

Via efile

Mr. Trey Hattaway
Gregg County District Clerk
101 E. Methvin Street
Longview, TX 75601

22-2044-B

RE: Nicholas Wooten v. Sanderson Farms, Inc., Sanderson Farms, Inc. (Processing Division) and Sanderson Farms, Inc. (Production Division); In the District Court of Smith County, Texas

Dear Mr. Hattaway:

Please find enclosed Plaintiff's Original Petition and Request for Disclosure for filing regarding the above-referenced matter. Please prepare the following citations:

Sanderson Farms, Inc.
By serving its registered agent for service of process
CT Corporation System
1999 Bryan Street, Suite 900
Dallas, TX 75201-3136
(Clerk to issue via certified mail, return receipt requested)

Sanderson Farms, Inc. (Processing Division)
By serving its registered agent for service of process
CT Corporation System
1999 Bryan Street, Suite 900
Dallas, TX 75201-3136
(Clerk to issue via certified mail, return receipt requested)



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DISTRICT CLERK'S OFFICE

Page 2
September 19, 2022

Sanderson Farms, Inc. (Production Division)
By serving its registered agent for service of process
CT Corporation System
1999 Bryan Street, Suite 900
Dallas, TX 75201-3136
(Clerk to issue via certified mail, return receipt requested)

Your fees are being paid via eserve this date. Thank you for your courtesy and cooperation in this matter.

With kindest regards,

Brent Goudarzi

BG/ra
Enc.



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AND CORRECT COPY
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DISTRICT CLERK'S OFFICE

STATE OF TEXAS - COUNTY OF SMITH

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Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Shirley Helman Deputy

From: [Patricia Dixon](#)
To: goudarziyoung@goudarzi-young.com
Subject: Cause No. 22-2044-B
Date: Wednesday, September 21, 2022 2:21:00 PM
Attachments: [Plaintiffs Original Petition.pdf](#)
[Citation Issued to Sanderson Farms, Inc. 0768.pdf](#)
[Citation Issued to Sanderson Farms, Inc. \(Processing\) 0775.pdf](#)
[Citation Issued to Sanderson Farms, Inc. \(Production\) 0782.pdf](#)

Please find attached file-marked Plaintiff's Original Petition and courtesy copies of the citations issued to defendants for your file.

On this date citations to defendants have been forwarded via certified mail, return receipt as requested.

Thank you,

Patricia Renee Dixon, Deputy Clerk
PENNY CLARKSTON, DISTRICT CLERK
SMITH COUNTY, TEXAS
100 N. Broadway, Rm. 204
Tyler, Texas 75702



CERTIFIED TO BE A TRUE
AND CORRECT COPY
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STATE OF TEXAS - COUNTY OF SMITH

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Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk Smith County, Texas

By: Nevada Palmer Deputy

7272 0090 0000 9822 0768

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here 22-2044-B
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage	

SANDERSON FARMS, INC.
C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

7272 0090 0000 9822 0775

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here 22-2044-B
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage	

SANDERSON FARMS, INC. (PROCESSING DIVISION)
C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

7272 0090 0000 9822 0782

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here 22-2044-B
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage	

SANDERSON FARMS, INC. (PRODUCTION DIVISION)
C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

CERTIFIED TO BE A TRUE
 AND CORRECT COPY
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 DISTRICT CLERK'S OFFICE

STATE OF TEXAS - COUNTY OF SMITH

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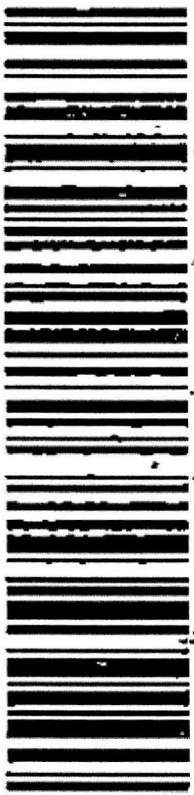
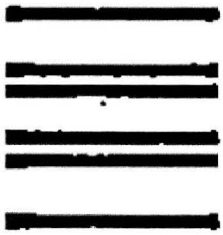
Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Randa Elpar Deputy

USPS TRACKING#



9590 9402 7321 2028 3242 95

22-2044-B

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender, Please print your name, address, and ZIP+4® in this box.

FILED
PENNY CLARKSTON
DISTRICT CLERK

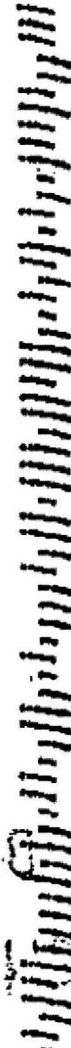
2022 SEP 28 PM 1:25

SMITH COUNTY, TEXAS
HALL OF COUNTY

PENNY CLARKSTON
DISTRICT CLERK, SMITH COUNTY
100 N. BROADWAY, RM. 204
TYLER, TEXAS 75702



CERTIFIED TO BE A TRUE
AND CORRECT COPY
FILED IN THE SMITH COUNTY
DISTRICT CLERK'S OFFICE



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

SANDERSON FARMS, INC. (PRODUCTION DIVISION)
 C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
 CT CORPORATION SYSTEM
 1999 BRYAN STREET, SUITE 900
 DALLAS, TEXAS 75201-3136



9590 9402 7321 2028 3242 95

2. Article Number (Transfer from service label)

7020 0090 0000 9822 0782

NOV 14 2014 11:00AM NEW YORK NY 10001

RECEIVED TO BE A TRUE
 AND CORRECT COPY
 FILED IN THE SMITH COUNTY
 DISTRICT CLERK'S OFFICE

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Tierica Williams☐ Agent☐ Addressee

B. Received by (Printed Name)

Tierica Williams

C. Date of Delivery

SEP 23 2021

Address different from item 1? ☐ Yes
 delivery address below: ☐ No

22-2044-B

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input checked="" type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

STATE OF TEXAS - COUNTY OF SMITH

I, Penny Clarkston, District Clerk of Smith County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. _____, Page _____ Minutes of said Court on file in my office.

Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Shirley G. Marshall Deputy

22-2044-B

NO. _____

NICHOLAS WOOTEN	§	IN THE DISTRICT COURT OF
	§	
VS.	§	SMITH COUNTY, TEXAS
	§	
SANDERSON FARMS, INC.,	§	
SANDERSON FARMS, INC. (PROCESSING	§	
DIVISION), AND	§	
SANDERSON FARMS, INC. (PRODUCTION	§	114th
DIVISION)	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

COMES NOW, NICHOLAS WOOTEN, hereinafter called "Plaintiff" and complains of SANDERSON FARMS, INC., SANDERSON FARMS, INC. (PROCESSING DIVISION), and SANDERSON FARMS, INC. (PRODUCTION DIVISION), hereinafter called Defendants, and for cause of action would respectively show the Court the following:

DISCOVERY CONTROL PLAN LEVEL**I.**

Discovery in this cause of action is intended to be conducted under Level 2 of Rule 190.3 of the Texas Rules of Civil Procedure.

JURISDICTION AND VENUE**II.**

Venue is proper in Smith County, Texas pursuant to Chapter 15, Texas Civil Practice and Remedies Code, in that this is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred.

Jurisdiction is proper in this Court in that this is a lawsuit seeking damages in excess of the minimum jurisdictional limits of the district courts of the State of Texas.

 Plaintiff's Original Petition

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Page 1

PARTIES AND SERVICE

III.

Plaintiff, NICHOLAS WOOTEN, is an individual residing in Kilgore, Texas. The last three digits of Plaintiff's social security number are 160. The last three digits of Plaintiff's driver's license number are 954.

Defendant, SANDERSON FARMS, INC., is a corporation organized under the laws of the State of Mississippi, engages in business in the State of Texas, and may be served with process by serving its registered agent for service of process, CT CORPORATION SYSTEM, at 1999 Bryan St., Ste. 900, Dallas, Texas 75201-3136, by certified mail, return receipt requested, issued by the District Clerk of Smith County, Texas.

Defendant, SANDERSON FARMS, INC. (PROCESSING DIVISION), is a corporation organized under the laws of the State of Mississippi, engages in business in the State of Texas, and may be served with process by serving its registered agent for service of process, CT CORPORATION SYSTEM, at 1999 Bryan St., Ste. 900, Dallas, Texas 75201-3136, by certified mail, return receipt requested, issued by the District Clerk of Smith County, Texas.

Defendant, SANDERSON FARMS, INC. (PRODUCTION DIVISION) is a corporation organized under the laws of the State of Mississippi, engages in business in the State of Texas, and may be served with process by serving its registered agent for service of process, CT CORPORATION SYSTEM, at 1999 Bryan St., Ste. 900, Dallas, Texas 75201-3136, by certified mail, return receipt requested, issued by the District Clerk of Smith County, Texas.

FACTS AND CAUSES OF ACTION

IV.

On or about September 22, 2020, and at all times mentioned herein, Defendants, SANDERSON FARMS, INC., SANDERSON FARMS, INC. (PROCESSING DIVISION), and/or SANDERSON FARMS, INC. (PRODUCTION DIVISION) (collectively “Defendants” or “Sanderson Farms”), were the possessors of the property in question, and owned, leased, maintained, and/or controlled the property in question, located in or near Smith County, Texas (the “Premises”).

On or about September 22, 2020, Plaintiff was working at his job at Sanderson Farms, located in or near Smith County, Texas. Plaintiff was an employee of Defendants, performing his duties at the time of the accident.

On or about September 22, 2020, while in the course and scope of his employment with Defendants and while performing his duties for Defendants, Plaintiff, at the direction and instruction of his supervisor, got on a conveyer belt or platform to get or retrieve one or more chickens that had been improperly hung or placed at a particular location. As Plaintiff was performing the work task assigned to him, he was caused to fall, subjecting him to tremendous force and injuring himself. While on the Premises, Plaintiff was seriously injured.

V.

Plaintiff’s employer elected not to carry workers’ compensation insurance. Therefore, the portion of this action against Defendants is governed by §406.033 of the Texas Labor Code.

VI.

Employees of Defendants, other than Plaintiff, were guilty of negligent acts and/or omissions which proximately caused Plaintiff’s injuries. Defendants failed to provide Plaintiff

with a safe place to work which proximately caused Plaintiff's injuries.

VII.

Defendants negligently supervised, or alternatively, negligently failed to supervise the work under its control. Defendants' negligent acts and/or omissions proximately caused Plaintiff's injuries.

VIII.

Defendants committed acts of omission and commission, which, collectively and severally, constituted negligence, and were proximate causes of the injuries and the damages of Plaintiff.

Such acts of omission and commission include, but are not limited to, the following:

1. failing to provide Plaintiff with a proper and safe work environment;
2. failing to provide Plaintiff with a safe place to work;
3. failing to adequately supervise, monitor and/or train its employees;
4. failing to hire, train and/or ensure that only qualified or adequately trained employees operate equipment of the kind that injured Plaintiff;
5. failing to implement proper procedures to be employed during the operation in progress;
6. failing to adequately warn Plaintiff of the defective condition or activity on the Premises;
7. failing to provide Plaintiff with the safe and proper tools with which to perform his work;
8. failing to provide Plaintiff with the necessary safety equipment with which to perform his work;
9. failing to properly train employees on the proper method of hanging chicken;
10. failing to provide Plaintiff with proper safety shoes;
11. failing to warn Plaintiff of the dangerous condition that existed;
12. failing to properly inspect and maintain the area in question to discover the dangerous condition;

13. failing to maintain the area in a reasonably safe condition; and
14. failing to give adequate and understandable warnings to Plaintiff of the unsafe condition of the area.

Each act of negligence was the proximate cause of the accident in question and the injuries and damages of Plaintiff.

Defendants are liable for the damages proximately caused to Plaintiff by the conduct of Defendants and Defendants' employees. Further, Defendants and Defendants' employees were acting in furtherance of Defendants' interests at the time of the negligent acts and/or omissions. Additionally, Defendants and Defendants' employees were acting within the course and scope of their employment when the injury occurred or Defendants had the right to control the activities of Defendants' employees at the time of the accident.

IX.

Defendants or their agents undertook, either gratuitously or for their own benefit, obligations to train, supervise, direct, instruct, and/or control the performance of workers and/or the operation and/or maintenance of equipment and/or the Premises. Defendants knew or should have known that such training, supervision, direction, instruction, control, operation and/or maintenance was necessary for Plaintiff's protection. Defendants failed to exercise reasonable care in performing those obligations. Plaintiff or a third party relied on Defendants' performance, and Defendants' performance increased Plaintiff's risk of harm.

X.

Defendants committed willful acts or omissions of gross negligence, having actual knowledge of an extreme risk of harm and consciously disregarding that risk, that were a proximate cause of the injuries to Plaintiff and the damages of Plaintiff, and for which Plaintiff is entitled to recover punitive damages, pursuant to Chapter 41 of the Texas Civil Practice and Remedies Code.



Furthermore, Defendants authorized the doing and the manner of the acts or omissions, Defendants recklessly employed an unfit agent and/or employee, Defendants employed a vice-principal or one who was in a managerial capacity and was acting in the scope of employment when they committed the acts or omissions, and/or Defendants or a vice-principal or manager of Defendants ratified and/or approved the acts or omissions.

DAMAGES FOR PLAINTIFF

XI.

As a direct and proximate result of the occurrence made the basis of this lawsuit, and Defendants' acts as described herein, Plaintiff was caused to suffer and to endure anxiety, pain, and illness resulting in damages more fully set forth below.

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff has incurred and seeks the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the incident;
- B. Reasonable and necessary medical care and expenses which, in reasonable probability, will be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Physical pain and suffering which, in reasonable probability, will be suffered in the future;
- E. Mental anguish in the past;
- F. Mental anguish which, in reasonable probability, will be suffered in the future;
- G. Physical impairment in the past;
- H. Physical impairment which, in reasonable probability, will be suffered in the future;
- I. Physical disfigurement in the past;



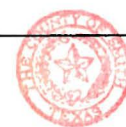
- J. Physical disfigurement which, in reasonable probability, will be suffered in the future;
- K. Loss of earnings in the past;
- L. Loss of earning capacity which, in reasonable probability, will be incurred in the future;
- M. Exemplary damages.

By reason of the above, Plaintiff has suffered losses and damages in a sum within the jurisdictional limits of the Court and for which this lawsuit is brought. In accordance with Texas Rule of Civil Procedure 47, Plaintiff seeks monetary relief over \$1,000,000.00.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for Plaintiff against Defendants, jointly and severally, for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate; costs of court; and such other and further relief to which Plaintiff may be entitled at law or in equity.

Plaintiff's Original Petition



CERTIFIED TO BE A TRUE
AND CORRECT COPY
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DISTRICT CLERK'S OFFICE

Page 7

Respectfully submitted,

GOUDARZI & YOUNG, L.L.P.

3522 Fourth Street

Longview, Texas 75605

Telephone: (903) 843-2544

Facsimile: (903) 843-2026

E-Service: goudarziyoung@goudarzi-young.com

By: _____

Marty Young

State Bar No. 24010502

Brent Goudarzi

State Bar No. 00798218

ATTORNEYS FOR PLAINTIFF

Plaintiff's Original Petition



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DISTRICT CLERK'S Page 8

STATE OF TEXAS - COUNTY OF SMITH

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October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Nanda Solmar Deputy

CLERK OF THE COURT	ATTORNEY FOR PLAINTIFF
PENNY CLARKSTON SMITH COUNTY DISTRICT CLERK 100 N. BROADWAY, RM 204 TYLER, TEXAS 75702 903-590-1660	BRENT GOUDARZI GOUDARZI & YOUNG, L.L.P. 3522 FOURTH STREET LONGVIEW, TEXAS 75605 903-843-2544

CAUSE NO. 22-2044-B

THE STATE OF TEXAS
CITATION BY CERTIFIED MAIL

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served this citation and petition, a default judgment may be taken against you."

TO: SANDERSON FARMS, INC. (PRODUCTION DIVISION)
C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

GREETINGS: You are hereby commanded to appear by filing a written answer to the Plaintiff's Original Petition at or before ten (10:00) o'clock A.M. on the Monday next after the expiration of the twenty (20) days after the date of service of this citation before the 114th Judicial District Court of Smith County, Texas, at the Courthouse of said County located at 100 N. Broadway, Tyler, Texas.

Said **Plaintiff's Original Petition** was filed in said Court on 09/19/2022, in this case, numbered 22-2044-B on the docket of said Court, and styled:

NICHOLAS WOOTEN VS. SANDERSON FARMS, INC., SANDERSON FARMS, INC. (PROCESSING DIVISION), AND SANDERSON FARMS, INC. (PRODUCTION DIVISION)

The nature of Plaintiff's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to the requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of the Court at Tyler, Texas, on this date: September 21, 2022.

CLERK OF THE COURT
PENNY CLARKSTON, DISTRICT CLERK
SMITH COUNTY, TEXAS
100 North Broadway, Rm. 204
Tyler, Texas 75702

By: /s/ *Patricia Dixon*
Patricia Dixon, Deputy



CERTIFIED TO BE A TRUE
AND CORRECT COPY
FILED IN THE SMITH COUNTY
DISTRICT CLERK'S OFFICE

*****CERTIFICATE OF DELIVERY BY MAIL*****

I hereby certify that on this date: 9/21/2022, at 4 o'clock P.M., I mailed to SANDERSON FARMS, INC. (PRODUCTION DIVISION) by registered or certified mail, with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the Petition attached thereto.

BY: /s/ Patricia Dixon

Patricia Dixon, Deputy

CERTIFIED MAIL, RETURN RECEIPT REQUESTED: 70200090000098220782

>>>>>>>>>ATTACH RETURN RECEIPT WITH ADDRESSEE'S SIGNATURE<<<<<<<<<<



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STATE OF TEXAS - COUNTY OF SMITH

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Witness my official hand and seal of office on this date:
October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Chenda E. Moore Deputy

CLERK OF THE COURT	ATTORNEY FOR PLAINTIFF
PENNY CLARKSTON SMITH COUNTY DISTRICT CLERK 100 N. BROADWAY, RM 204 TYLER, TEXAS 75702 903-590-1660	BRENT GOUDARZI GOUDARZI & YOUNG, L.L.P. 3522 FOURTH STREET LONGVIEW, TEXAS 75605 903-843-2544

CAUSE NO. 22-2044-B

THE STATE OF TEXAS
CITATION BY CERTIFIED MAIL

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served this citation and petition, a default judgment may be taken against you."

TO: SANDERSON FARMS, INC. (PROCESSING DIVISION)
C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

GREETINGS: You are hereby commanded to appear by filing a written answer to the Plaintiff's Original Petition at or before ten (10:00) o'clock A.M. on the Monday next after the expiration of the twenty (20) days after the date of service of this citation before the 114th Judicial District Court of Smith County, Texas, at the Courthouse of said County located at 100 N. Broadway, Tyler, Texas.

Said Plaintiff's Original Petition was filed in said Court on 09/19/2022, in this case, numbered 22-2044-B on the docket of said Court, and styled:

NICHOLAS WOOTEN VS. SANDERSON FARMS, INC., SANDERSON FARMS, INC. (PROCESSING DIVISION), AND SANDERSON FARMS, INC. (PRODUCTION DIVISION)

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's Original Petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to the requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of the Court at Tyler, Texas, on this date: September 21, 2022.

CLERK OF THE COURT
PENNY CLARKSTON, DISTRICT CLERK
SMITH COUNTY, TEXAS
100 North Broadway, Rm. 204
Tyler, Texas 75702

By: /s/ *Patricia Dixon*
Patricia Dixon, Deputy



*****CERTIFICATE OF DELIVERY BY MAIL*****

I hereby certify that on this date: 9/21/2022, at 4 o'clock P.M., I mailed to SANDERSON FARMS, INC. (PROCESSING DIVISION) by registered or certified mail, with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the Petition attached thereto.

BY: /s/ Patricia Dixon

Patricia Dixon, Deputy

CERTIFIED MAIL, RETURN RECEIPT REQUESTED: 70200090000098220775

>>>>>>>>>ATTACH RETURN RECEIPT WITH ADDRESSEE'S SIGNATURE<<<<<<<<<



CERTIFIED TO BE A TRUE
AND CORRECT COPY
FILED IN THE SMITH COUNTY
DISTRICT CLERK'S OFFICE

STATE OF TEXAS - COUNTY OF SMITH

I, Penny Clarkston, District Clerk of Smith County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. _____, Page _____ Minutes of said Court on file in my office.

Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: [Signature] Deputy

CLERK OF THE COURT	ATTORNEY FOR PLAINTIFF
PENNY CLARKSTON SMITH COUNTY DISTRICT CLERK 100 N. BROADWAY, RM 204 TYLER, TEXAS 75702 903-590-1660	BRENT GOUDARZI GOUDARZI & YOUNG, L.L.P. 3522 FOURTH STREET LONGVIEW, TEXAS 75605 903-843-2544

CAUSE NO. 22-2044-B

THE STATE OF TEXAS
CITATION BY CERTIFIED MAIL

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TO: SANDERSON FARMS, INC.
C/O ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

GREETINGS: You are hereby commanded to appear by filing a written answer to the Plaintiff's Original Petition at or before ten (10:00) o'clock A.M. on the Monday next after the expiration of the twenty (20) days after the date of service of this citation before the 114th Judicial District Court of Smith County, Texas, at the Courthouse of said County located at 100 N. Broadway, Tyler, Texas.

Said **Plaintiff's Original Petition** was filed in said Court on 09/19/2022, in this case, numbered 22-2044-B on the docket of said Court, and styled:

NICHOLAS WOOTEN VS. SANDERSON FARMS, INC., SANDERSON FARMS, INC. (PROCESSING DIVISION), AND SANDERSON FARMS, INC. (PRODUCTION DIVISION)

The nature of Plaintiff's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to the requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of the Court at Tyler, Texas, on this date: September 21, 2022.

CLERK OF THE COURT
PENNY CLARKSTON, DISTRICT CLERK
SMITH COUNTY, TEXAS
100 North Broadway, Rm. 204
Tyler, Texas 75702

By: /s/ *Patricia Dixon*
Patricia Dixon, Deputy



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*****CERTIFICATE OF DELIVERY BY MAIL*****

I hereby certify that on this date: 9/21/2022, at 4 o'clock P.M., I mailed to SANDERSON FARMS, INC. by registered or certified mail, with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the Petition attached thereto.

BY: /s/ Patricia Dixon
Patricia Dixon, Deputy

CERTIFIED MAIL, RETURN RECEIPT REQUESTED: 70200090000098220768

>>>>>>>>>ATTACH RETURN RECEIPT WITH ADDRESSEE'S SIGNATURE<<<<<<<<<<



STATE OF TEXAS - COUNTY OF SMITH

I, Penny Clarkston, District Clerk of Smith County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. _____, Page _____ Minutes of said Court on file in my office.

Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Brenda L. Elmer Deputy

CAUSE NO. 22-2044-B

NICHOLAS WOOTEN,	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
	§	
v.	§	
	§	114th JUDICIAL DISTRICT
SANDERSON FARMS, INC.,	§	
SANDERSON FARMS, INC.	§	
(PROCESSING DIVISION), and	§	
SANDERSON FARMS, INC.	§	
(PRODUCTION DIVISION),	§	
<i>Defendants.</i>	§	SMITH COUNTY, TEXAS

DEFENDANTS' ANSWER TO PLAINTIFF'S ORIGINAL PETITION

Defendants Sanderson Farms, Inc., Sanderson Farms, Inc. (Processing Division) and Sanderson Farms, Inc. (Production Division) (collectively referred to as "Defendants") file their answer to the Original Petition (the "Petition") filed by Plaintiff Nicholas Wooten ("Plaintiff"), and in support thereof, would respectfully show as follows:

I.
VERIFIED DENIAL

1. Pursuant to Texas Rule of Civil Procedure 93, Defendants Sanderson Farms, Inc. and Sanderson Farms, Inc. (Production Division) allege that there is a defect of parties as they have been misidentified, and deny that they are proper parties to this lawsuit.



II.
GENERAL DENIAL

2. Defendants deny each and every, all and singular, the material allegations contained within the Petition filed by Plaintiff, and demand strict proof thereof.

III.
AFFIRMATIVE DEFENSES

3. Pleading further, alternatively, and by way of affirmative defense, Defendants would state that in the event that an adverse ruling would be rendered against them, Defendants would respectfully request all available credits and/or offsets as provided by the Texas Civil Practice and Remedies Code and under Texas law.

4. Pleading further, alternatively, and by way of affirmative defense, Defendants assert that in addition to any other limitation under law, Plaintiff's recovery of medical or health care expenses, if any, should be limited to the amount actually paid or incurred by or on behalf of Plaintiff, pursuant to Section 41.0105 of the Texas Civil Practices and Remedies Code.

5. Pleading further, alternatively, and by way of affirmative defense, Defendants invoke Section 18.091 of the Texas Civil Practices & Remedies Code requiring that Plaintiff prove any alleged loss of earnings and/or loss of earning capacity in a form that represents his net loss after reduction for income tax payments or unpaid tax liability.



6. Pleading further, alternatively, and by way of affirmative defense, Defendants assert that any damages sought to be recovered by Plaintiff should be reduced to the extent that it is shown that Plaintiff has failed to mitigate his claimed damages and failed to take the reasonable steps that a person of ordinary prudence in a similar situation would have taken to avoid the claimed damages.

7. Pleading further, alternatively, and by way of affirmative defense, Defendants assert that they are entitled to an offset in the event that Plaintiff is awarded damages for past medical expenses and to the extent that Plaintiff's past medical expenses have already been paid for in accordance with Defendants' Texas Injury Benefit Plan.

8. Defendants hereby give notice that they intend to rely upon such other defenses or denials, affirmative or otherwise, and to assert third-party claims and any other claims, as may become available or appear during discovery as it proceeds in this matter, and hereby reserve the right to amend their Answer to assert such defenses.

IV. JURY DEMAND

Subject to Defendants' forthcoming Motion to Compel Arbitration, in accordance with Rule 216 of the Texas Rules of Civil Procedure, Defendants demand a trial by jury.

**V.
PRAYER**

Sanderson Farms, Inc., Sanderson Farms, Inc. (Processing Division) and Sanderson Farms, Inc. (Production Division) pray that Plaintiff's requested relief be denied, that Defendants go hence with their costs without delay, that a take nothing judgment be entered in favor of Defendants as to all of Plaintiff's claims, and for such other and further relief, both general and special, at law and in equity, to which Defendants may show themselves justly entitled.

Respectfully submitted,

MAYER LLP

By: /s/ J. Edward Johnson

Zach T. Mayer
State Bar No. 24013118
Email: zmayer@mayerllp.com
J. Edward Johnson
State Bar No. 24070001
Email: ejohnson@mayerllp.com
G. Adrian Galvan
State Bar No. 24108601
Email: agalvan@mayerllp.com

750 N. St. Paul Street, Suite 700
Dallas, Texas 75201
Telephone: 214.379.6900
Facsimile: 214.379.6939

**ATTORNEYS FOR DEFENDANTS
SANDERSON FARMS, INC.,
SANDERSON FARMS, INC.
(PROCESSING DIVISION) AND
SANDERSON FARMS, INC.
(PRODUCTION DIVISION)**

CERTIFICATE OF SERVICE

This is to certify that on the 14th day of October 2022, a true and correct copy of the foregoing has been forwarded to all counsel of record, as follows:

Via eFile: goudarziyoung@goudarzi-young.com

Marty Young

Brent Goudarzi

Goudarzi & Young, L.L.P.

3522 Fourth Street

Longview, Texas 75605

/s/ J. Edward Johnson
J Edward Johnson



CERTIFIED TO BE A TRUE
AND CORRECT COPY
FILED IN THE SMITH COUNTY
DISTRICT CLERK'S OFFICE

DECLARATION OF J. EDWARD JOHNSON

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

1. My name is J. Edward Johnson. I am over the age of twenty-one years and competent to make this Declaration. The statements in this Declaration are based on my personal knowledge, and are true and correct.
2. I have read the above and foregoing Original Answer, and the factual statements contained in Paragraph I of the Verified Denial herein are within my personal knowledge and are true and correct.

My name is J. Edward Johnson. My work address is 750 N. St. Paul St., Suite 700, Dallas, Texas 75201. I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 14th day of October, 2022

/s/ J. Edward Johnson
J. Edward Johnson



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AND CORRECT COPY
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DISTRICT CLERK'S OFFICE

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Shannon Pilgrim on behalf of Joseph Johnson

Bar No. 24070001

spilgrim@mayerllp.com

Envelope ID: 69230071

Status as of 10/14/2022 12:12 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Brent Goudarzi		goudarziyoung@goudarzi-young.com	10/14/2022 12:02:00 PM	SENT
Cathy Preston		cpreston@mayerllp.com	10/14/2022 12:02:00 PM	SENT



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Shannon Pilgrim on behalf of Joseph Johnson

Bar No. 24070001

spilgrim@mayerllp.com

Envelope ID: 69230071

Status as of 10/14/2022 12:12 PM CST

Associated Case Party: Sanderson Farms, Inc. (Processing Division)

Name	BarNumber	Email	TimestampSubmitted	Status
G. Adrian Galvan		agalvan@mayerllp.com	10/14/2022 12:02:00 PM	SENT
Zach Mayer		zmayer@mayerllp.com	10/14/2022 12:02:00 PM	SENT
Edward Johnson		ejohnson@mayerllp.com	10/14/2022 12:02:00 PM	SENT

Shannon Pilgrim on behalf of Joseph Johnson
 Bar No. 24070001
 spilgrim@mayerllp.com
 Envelope ID: 69230071
 Status as of 10/14/2022 12:12 PM CST
 Associated Case Party: Sanderson Farms, Inc. (Processing Division)



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STATE OF TEXAS - COUNTY OF SMITH

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Witness my official hand and seal of office on this date:

October 17, 2022

Penny Clarkston, District Clerk - Smith County, Texas

By: Rebecca Palmer Deputy